

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 203.004-US)

In the Application of: **BALLERSTADT ET AL.**) Group Art Unit: **1651**
Serial No: **10/735,153**)
Filed: **DECEMBER 12, 2003**)
Title: **DEVICE AND METHOD FOR**
ANALYTE SENSING)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

THIRD INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Submitted herewith is one (1) sheets of a modified Form PTO-1449. A copy of each document cited on the attached Form PTO-1449 is also submitted.

It is respectfully requested that the Examiner make his/her consideration of these documents formally of record.

Respectfully submitted,

Neil A. Steinberg
Reg. No. 34,735
650-968-8079

Date: January 24, 2005
02/01/2005 CNGUYEN 00000038 10735153
01 FC:1806 180.00 0P

PTO-1449 (Modified) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT	ATTY. DOCKET NO. 203.004-US	SERIAL NUMBER 10/735,153
	APPLICANT(S) Ballerstadt et al.	
	FILING DATE December 12, 2003	GROUP ART UNIT 1651

U.S. PATENT DOCUMENTS

EXAMINER INITIALS	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
	6,383,767	5/2002	Polak			
	6,694,158	2/2004	Polak			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIALS	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES/NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	"Fiber-Optic Biosensors Based on Fluorescence Energy Transfer", Meadows et al., <i>Talanta</i> , Vol. 35, No. 2, pp.145-150, 1988
	"Chemiluminescent and Fluorescent Probes for DNA Hybridization Systems", Heller et al., <i>DNA Hybridization Systems</i> , pp.245-257 (1985)
	"Detection of Nucleic Acid Hybridization by Nonradiative Fluorescence Resonance Energy Transfer", Cardullo et al., <i>Proc. Natl. Acad. Sci. U.S.A.</i> , Vol. 85, pp.8790-8794, December 1988
	"Affinity Sensor: A New Technique for Developing Implantable Sensors for Glucose and Other Metabolites", Schultz et al., <i>Diabetes Care</i> , Vol. 5, No. 3, pp.245-253 (1982)

EXAMINER	DATE CONSIDERED

EXAMINER: Initial citation if reference was considered. Draw line through citation if not in conformance to MPEP 609 and not considered. Include copy of this form with next communication to applicant.



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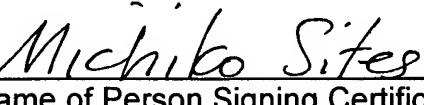
Certificate of Mailing under 37 CFR 1.8

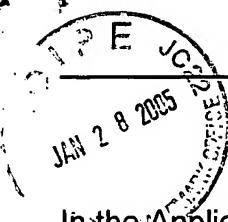
I hereby certify that the attached: **(1)** Third Information Disclosure Statement (1 page + Modified PTO-1449 (1 sheet) and References cited therein); **(2)** Fee Transmittal (1 page + 1 copy thereof); **(3)** Check (\$180.00) are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on January 24, 2005.


Signature


Print Name of Person Signing Certificate



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FEES TRANSMITTAL

Dear Sir:

Transmitted herewith is a **Third Information Disclosure Statement** (1 page + Form PTO-1449 (1 sheet) and references cited therein.

The fee has been calculated as shown below:

CLAIMS AS AMENDED								
	Claims Remaining	Highest Number Previously Paid	Extra	Rate		Amount		
				Large	Small			
Number of Claims In (in excess of 20)	0	0	0	\$50.00	\$25.00	-0-		
Independent Claims (in excess of 3)	0	0	0	\$100.00	\$200.00	-0-		
Extension Fee:	a) One Month			\$120.00	\$60.00	-0-		
Filing of Information Disclosure Statement (37 C.F.R. §1.17(p)):						\$180.00		
						TOTAL FEE DUE: \$180.00		

Method of Payment:

A check payable to the Commissioner of Patents and Trademarks, in the amount of \$180.00 is enclosed as payment of the Total Fee.

Please charge my Deposit Acc. 50-0763 in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.

The Commissioner is hereby authorized to charge any fees that may be required, or credit any overpayment to Deposit Acc. 50-0763. A duplicate copy of this sheet is enclosed.

Respectfully submitted,


Neil Steinberg, Reg. No. 34,735
Telephone No. (650) 968-8079

Date: January 24, 2005